



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शनिवार, 25 फरवरी, 2012/6 फाल्गुन 1933

हिमाचल प्रदेश सरकार

HIGH COURT OF HIMACHAL PRADESH SHIMLA-171001

NOTIFICATION

Shimla the 17th February, 2012

No. HHC/Admn.6 (23)/74-Part.—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2(32) of Chapter 1 of H. P. Financial Rules, 2009, has been pleased to declare the Civil Judge (Sr.Division)-cum-CJM, Kangra at Dharamshala as Drawing and Disbursing Officer in respect of the Court of Civil Judge (Jr.Division)-cum-JMIC(II), Dharamshala and also the Controlling Officer for the purpose of T. A. etc. in respect of establishment attached to the aforesaid Court under head "2014-Administration of Justice" with immediate effect till Civil Judge (Jr.Division)-cum-JM(II), Dharamshala returns from leave.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH SHIMLA-171001**NOTIFICATION***Shimla the 17th February, 2012*

No. HHC/Admn.6 (23)/74-XIV.—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2(32) of Chapter 1 of H. P. Financial Rules, 2009 has been pleased to declare the Civil Judge (Senior.Division)-cum-JMIC(I), Rohru as Drawing and Disbursing Officer in respect of the Court of Civil Judge (Junior Division)-cum-JMIC, Jubbal and also the Controlling Officer for the purpose of T.A. etc. in respect of establishments attached to the aforesaid Court under head "2014-Administration of Justice" with immediate effect till 23.2.2012 or till Sh. Vishal Bhamnotra returns from training.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH SHIMLA-171001**NOTIFICATION***Shimla the 18th February, 2012*

No. HHC/Admn.6 (23)/74-XIV.—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2(32) of Chapter 1 of H.P. Financial Rules, 2009, has been pleased to declare the Civil Judge (Jr.Division)-cum-JMIC(II), Hamirpur as Drawing and Disbursing Officer in respect of the Court of Civil Judge (Jr. Division)-cum-JMIC(I), Hamirpur and also the Controlling Officer for the purpose of T.A. etc. in respect of establishment attached to the aforesaid Court under head "2014-Administration of Justice" during the leave period of Sh.Sidharth Sarpal, Civil Judge (Junior Division)-cum-JMIC(I), Hamirpur w.e.f. 21.2.2012 to 9.3.2012 with permission to prefix Sunday and Gazetted holiday falling on 19th and 20th February, 2012 and suffix 10th and 11th March, 2012 being Second Saturday and Sunday or till he returns from leave.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001**NOTIFICATION***Shimla, the 18th February, 2012*

No. HHC/GAZ/14-290/2006.—Hon'ble the Chief Justice has been pleased to grant 18 days' earned leave w.e.f. 21.2.2012 to 9.3.2012 with permission to prefix Sunday and Gazetted holiday falling on 19th and 20th February, 2012 and suffix 10th and 11th March, 2012 being Second Saturday and Sunday respectively in favour of Shri Sidharth Sarpal, Civil Judge (Jr.Division)-cum-JMIC(I), Hamirpur.

Certified that Shri Sidharth Sarpal is likely to join the same post and at the same station from where he proceeds on leave, after expiry of the above period of leave.

Also certified that Shri Sidharth Sarpal would have continued to hold the post of Civil Judge (Jr.Division)-cum-JMIC (I), Hamirpur but for his proceeding on leave for the above period.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001

NOTIFICATION

Shimla, 22th February, 2012

No.HHC/Admn.3(125)/79-I.—5 days earned leave on and with w.e.f. 6.2.2012 to 10.2.2012 with permission to prefix Second Saturday, Sunday and winter vacations w.e.f. 14.1.2012 to 5.2.2012 and suffix Second Saturday and Sunday on 11.2.2012 and 12.2.2012 is hereby sanctioned ex post facto in favour of Smt. Raj Thakur, Assistant Registrar of this registry.

Certified that Smt. Raj Thakur has joined the same post and at the same station from where she had proceeded on leave after the expiry of the above leave period.

Certified that Smt. Raj Thakur would have continued to officiate the same post of Assistant Registrar but for her proceeding on leave.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001

NOTIFICATION

Shimla, 22th February, 2012

No. HHC/Admn.3(179)/82-I.—05 days commuted leave on and w.e.f. 6.2.2012 to 0.2.2012 with permission to affix Sunday falling on 5.2.2012, Second Saturday and Sunday falling on 11.2.2012 and 12.2.2012 is hereby sanctioned, ex-post- facto, in favour of Smt. Sudesh Kumari, Court Master of this Registry.

Certified that Smt. Sudesh Kumari has joined the same post and at the same station from where she had proceeded on leave after the expiry of the above leave period.

Certified that Smt. Sudesh Kumari would have continued to officiate the same post of Court Master but for her proceeding on leave.

By order,
Sd/-
Registrar General.

HOME DEPARTMENT**NOTIFICATION***Shimla-2, the....., 2012*

No. Home-B(E)2-7/2009-HC.—In compliance to orders dated 20th July, 2011 of Hon'ble High Court of Himachal Pradesh in CWP No. 4652/2009 and in exercise of powers vested under Section 3(2) of The Himachal Pradesh Subordinate Courts Employees(Pay, Allowances And Other Conditions of Service) Act, 2005, the Governor, Himachal Pradesh is pleased to grant following allowances to the non-judicial employees of Subordinate Courts of Himachal Pradesh:-

- (i) Special allowance of ₹ 100/- per month to each of staff working in the Record Room/Property Room.
- (ii) Fixed travelling allowance of ₹ 200/- per month to Bailiffs and Process Servers.
- (iii) Travelling/Compensatory Special Allowance to stenographers in following manner:-
 - (a) Stenographer working in Tehsil/Taluka/District Headquarters- ₹100/- per month.
 - (b) Stenographer working in the Cities- ₹150/- per month.
 - (c) PA to the District & Sessions Judge- ₹ 200/- per month.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT**CORRIGENDUM***Shimla-2, the....., 2012*

No. Home-B(B)7-1/2009.—The word “*balance*” appearing in line four of this department notification of even number dated 21st February, 2012 may please be treated as deleted.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT**NOTIFICATION***Shimla-2, the.....February, 2012*

No. Home-B(B)6-4/2006-V-loose.—In pursuance of the recommendations of Himachal Pradesh Public Service commission for the year, 2011, the Governor of Himachal Pradesh in exercise of the powers vested in her under Rule-4(2) of the H.P. Judicial Service Rules, 2004 is

pleased to appoint the following candidates as Civil Judge (Junior Division) in the Himachal Pradesh Judicial Service in the pay scale of Rs. 27,700-770-33,090-920-40,450-1,080-44,770:-

1. Ms.Monika Sombal d/o Sh. Fauja Singh Sombal, village Junat, PO Baroona, Tehsil Fatehpur, Distt. Kangra-176025.
2. Ms. Geetika Kapila d/o Dr. Rattan Chand, Set No.6, Willy Park, Chaura Maidan, Shimla-171004.

The above Judicial Officers shall be on probation for a period of two years.

The above mentioned candidates shall furnish written acceptance of appointment offer to the Service within ten days from the receipt of this appointment letter to the Under Secretary (Home) to the Government of Himachal Pradesh and also to the Registrar General, High Court of Himachal Pradesh, Shimla-1 alongwith medical fitness certificate issued by the Medical Authority as may be specified by the Registrar General, High Court of Himachal Pradesh. The candidates shall join duty only at such place as may be directed by the High Court of Himachal Pradesh.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT

NOTIFICATION

Shimla-2, the.....December, 2011

No. Home-B(G)4/95-III.—In continuation of this department notification of even number dated 29th August, 2008, the Governor of Himachal Pradesh in exercise of the powers conferred by section 3 read with section 4 of the Himachal Pradesh Judicial Officers (pay, allowances and conditions of services) Act, 2003 is pleased to enhance the following allowances/facilities to the Judicial Officers with immediate effect:-

Sumptuary Allowance	(a) Civil Judge(Jr. Division) Rs. 1500/-PM (b) Civil Judge(Sr. Division) Rs. 2300/- PM (c) Distt.Judge/ Addl. Distt. Judge Rs. 3100/- PM
Hill/Remote Area Allowance	Rs.1500/-PM
Robe Allowance	Rs.6000/- once in three years.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT**NOTIFICATION***Shimla-2, the.....December, 2011*

No. Home-B(B)6-4/2006-V.—In pursuance of orders dated 03.09.2011 in CWPs No. 3135/2011 Shweta Dhingra Vs State of HP & ors, 8563/2010 Kuldeep Sharma Vs State of HP & ors and 3255/2011 Niranjn Singh Vs State of HP & ors and on the recommendation of Himachal Pradesh Public Service Commission, the Governor of Himachal Pradesh in exercise of the powers vested in her under Rule-4(2) of the H.P. Judicial Service Rules, 2004 is pleased to appoint Shri Niranjn Singh as Civil Judge(Junior Division) in the Himachal Pradesh Judicial Service in the pay scale of Rs. 27,700-770-33,090-920-40,450-1,080-44,770. He shall remain on probation for a period of two years.

The above mentioned candidate shall furnish a written acceptance of this appointment offer within ten days from the receipt of this appointment letter to the Under Secretary (Home) to the Government of Himachal Pradesh and also to the Registrar General, High Court of Himachal Pradesh, Shimla-1. The candidate shall join duty only at such place as may be directed by the High Court of Himachal Pradesh.

By order,

Sd/-

*Principal Secretary (Home).***HOME DEPARTMENT****CORRIGENDUM***Shimla-2, the....., 2011*

No. Home-B(A)2-11/2006-HC Vol.I.—In continuation to this department notification of even number dated 27th September, 2010 regarding appointment of Sh. R.K.Verma as Additional District & Sessions Judge, the word and figure “*with effect from 1st October, 2010 against the vacancy being caused due to the retirement on superannuation of Shri V.K.Gupta*” may be read as “*with effect from 27th September, 2010*”.

By order,

Sd/-

*Principal Secretary (Home).***No. Home-B(A) 2-11/2006-Vol.I****HOME DEPARTMENT**

From

The Principal Secretary(Home) to the
Government of Himachal Pradesh

To

The Registrar General,
High Court of H. P. Shimla-1.
Dated: Shimla-2, the October, 2011.

Subject.—Appointment of Presiding Officer Fast Track Court in the rank of Additional District & Session Judges on adhoc basis.

Sir,

I am directed to refer to your letter No. HHC/GAZ/14-198/84-III-182, dated 3rd /5th September, 2011 on the subject cited above and to say that the matter of appointment as Presiding Officer, Fast Track Court has been examined and it has been found that the average pendency per Court in Chamba is 227, Kullu-369, Rampur-538, Solan-615 and Una-639. Whereas the pendency of cases should be one thousand cases for the creation of any new court.

As you are aware, the Fast Track Court scheme of Government of India has been discontinued. However, the State Government has given approval for the continuation of nine Fast Track Courts only till 31.3.2012. In these circumstances, in order to enable the State Government to review the continuation of Fast Track Court beyond 31.3.2012 you are requested on the administrative side to look into the matter and send your comments to this department in the matter please.

Yours faithfully,
Sd/-
Under Secretary(Home).

HOME DEPARTMENT

‘NOTIFICATION’

Shimla-2, the....., 2012

No. Home-B(A)2-11/2006-HC Vol.I.—The Governor, Himachal Pradesh on the recommendations of the Hon’ble High Court of Himachal Pradesh and in exercise of the powers vested in her under Clause (1) of Article 233 of Constitution of India is pleased to appoint the following Judicial Officers as Presiding Officers, Fast Track Courts in the rank of Additional District & Sessions Judge on adhoc basis against existing vacancies with immediate effect:-

1. Shri K. K.Sharma
2. Shri Mukesh Bansal
3. Shri Bhupesh Sharma
4. Shri Padam Singh

These appointments are subject to the outcome of Civil Writ Petition No. 696 of 2010.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT

NOTIFICATION

Shimla-2,the....., 2011

No. Home-B(A)2-11/2006-HC Vol.I.—The Governor, Himachal Pradesh on the recommendations of the Hon’ble High Court of Himachal Pradesh and in exercise of the powers vested in her under Clause (1) of Article 233 of Constitution of India is pleased to appoint the following Judicial Officers as Additional District & Sessions Judges in the cadre of District

Judges/Additional District Judges on officiating basis for a period of two years with immediate effect:-

1. Shri T.S.Kaisth
2. Shri J.N.Yadav
3. Shri Rattan Singh
4. Shri Virender Sharma

These appointments are subject to the outcome of Civil Writ Petition No. 696 of 2010.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT

‘NOTIFICATION’

Shimla-2, the.....June, 2011

No. Home-B(A)1-10/2006-HC.—In exercise of the powers conferred upon her under section 8 of the Himachal Pradesh Courts Act, 1976 and all other powers enabling her in this behalf and in consultation with the High Court of Himachal Pradesh, the Governor, Himachal Pradesh is pleased to sanction the establishment of one court of Civil Judge (Junior Division) at Sarkaghat, distt. Mandi with immediate effect in public interest.

This court shall be in addition to the courts of Civil Judges (Junior Division) already established in the State. The orders regarding creation of posts for the court is being issued separately.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT

NOTIFICATION

Shimla-2, the.....June, 2011

No. Home-B(A)1-10/2006-HC.—Consequent upto the establishment of one court of Civil Judge (Junior Division) at Sarkaghat, distt. Mandi, the Governor, Himachal Pradesh is pleased to create following posts for this court:-

Sr. No.	Name of the Post	No. of post	Pay Scale + Grade pay
1.	Civil Judges (Jr. Div.)	1	Rs.27,700-770-33,090-920-40,450-1,080-44,770
2.	Superintendent (Gr.II)	1	Rs.10300-34800+4200 initial pay of Rs. 16290

3.	Reader	1	Rs.10300-34800+3800 initial pay of Rs. 14590
4.	Judgment Writer	1	Fixed emoluments of Rs.14,600/-
5.	Steno-Typist	1	Rs.5910-20200+2000 initial pay of Rs. 8240/-
6.	Civil Ahlmad	1	Rs. 5910-20200+1900 initial pay of Rs. 7810/-
7.	Clerk-cum-Typist	1	-do-
8.	Criminal Ahlmad	1	-do-
9.	Naib Nazir	1	-do-
10.	Process Server	1	Rs.4900-10680+1400 initial pay of Rs. 6700/-
11.	Orderly	1	Rs. 4900-10680+1300 initial pay of Rs. 6200/-
12.	Office Peon	1	-do-
	Total:-	12	

This is issued after taking advice of the Finance Department obtained vide their UO No.51777055 dated 06.05.2011 and approval of the competent authority.

By order,
Sd/-
Principal Secretary (Home).

**CREATION OF THREE POSTS IN THE DEPARTMENT OF PROSECUTION
FOR DEFENDING THE STATE IN THE COURT AT SARKAGHAT**

Sr. No.	Name of the Post	No. of post	Pay Scale + Grade pay
1.	Assistant District Attorney	1	Rs. 10,300-34,800+ 4400
2.	Clerk	1	Rs. 5910-20200+1900
3.	Peon	1	Rs. 4900-10680+1300 initial pay of Rs. 6200/-

HOME DEPARTMENT

NOTIFICATION

Shimla-2, the 19th January, 2011

No. Home-B(B)6-4/2006-III.—In pursuance of the recommendations of Himachal Pradesh Public Service commission for the year,2010, the Governor of Himachal Pradesh in exercise of the powers vested in her under Rule-4(2) of the H.P. Judicial Service Rules, 2004 is pleased to appoint the following candidates, in order of merit, as Civil Judge(Junior Division) in the Himachal Pradesh Judicial Service in the pay scale of Rs. 27,700-770-33,090-920-40,450-1,080-44,770:-

1. Ms. Neha Sharma d/o Shri Harish Sharma, House No. 403, Jheel Kuranja, PO Krishna Nagar, Delhi-110051.

2. Ms. Manisha Goyal d/o Shri Pardeep Kumar Goyal, House No. 147, Sector-4C, Shastri Nagar, Mandi Gobindgarh, Tehsil Amloh, Distt. Fatehgarh Sahib, Punjab-147301.

3. Ms. Upasna Sharma d/o Shri N.D.Sharma r/o Lower Barol, Near ITI, Tehsil Dharamshala, Distt. Kangra, H.P.-176057.

4. Shri Vinay Sharma s/o Satbir Singh, H.No.1562, Urban Estate, Teh. Jind, Haryana-126102.

5. Shri Vishal Bhamnotra s/o Shri Amar Nath, village Bhangiana, PO Garnota, Tehsil Bhattiyat, PO Chowari, Distt. Chamba, H.P.-176207.

All above Judicial Officers shall be on probation for a period of two years.

The above mentioned candidates shall furnish written acceptance of appointment offer to the Service within ten days from the receipt of this appointment letter to the Under Secretary (Home) to the Government of Himachal Pradesh and also to the Registrar General, High Court of Himachal Pradesh, Shimla-1 alongwith medical fitness certificate issued by the Medical Authority as may be specified by the Registrar General, High Court of Himachal

Pradesh. The candidates shall join duty only at such place as may be directed by the High Court of Himachal Pradesh.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT

NOTIFICATION

Shimla-2, the.....December, 2010

No. Home-B(B)7-1/2009.—In continuation to this department notification of even number dated 31st August, 2010, the Governor Himachal Pradesh is pleased to order the release of 30% of the arrears of pay as admissible on account of revision of Pay Scales of Judicial Officers. The amount of arrears as above shall be drawn and paid in cash to the concerned officers.

By order,
Sd/-
Principal Secretary (Home).

HOME DEPARTMENT

ORDER

Shimla-2, the.....January, 2011

No. Home-B(B)6-4/2006-IV.—Whereas, Shri Kuldeep Sharma r/o village and post office Mehre, Tehsil Barsar, district Hamirpur, Himachal Pradesh and Shri Nirnjan Singh r/o village and post office Siwanamal, Tehsil Safidon, Distt. Jind, Haryana have made representations to the Principal Secretary(Home) to the Government of Himachal Pradesh regarding their selection and appointment to the post of Civil Judge(Jr. Division).

And whereas, both these representations were considered by the undersigned and it has been found that both above names are not appearing in the select list sent by the Himachal Pradesh Public Service Commission to the Government for appointment to the post of Civil Judge(Jr. Division)for the year, 2010. In so far as filling vacancies of reserved category(OBC & ST) in from the general category is concerned as is the plea made by Shri Kuldeep Sharma, these backlog vacancies of last three consecutive years stand already filled in from the select list of the year 2008 on the directions of Hon'ble High Court of Himachal Pradesh in the case of Shri Sandeep Singh Sihag, Shri Hakikat Singh, Shri Aslam Beg and Km.Akshi Sharma. Hence, no vacancies of backlog for three consecutive years are available.

In view of this, both the above representations are hereby rejected.

Sd/-

Principal Secretary (Home).

HOME DEPARTMENT

ORDER

Shimla-2, the February, 2011

No. Home-B(G)4/95-III.—This order shall dispose of a reference from the Registrar General, High Court of Himachal Pradesh whereby the representations made by Shri Rajesh Chauhan, Civil Judge(Sr. Division)-cum-JMIC, Shri Arvind Kumar, Civil Judge(Jr. Division)-cum-JMIC and Shri Partap Singh Thakur, Civil Judge(Jr. Division) have been sent to the Government with request to withdraw the corrigendum dated 2.3.2009 which has the effect of withdrawing three advance increments given to the Judicial Officers vide order dated 29.08.2008 on account of their having acquired higher qualification of L.L.M.

All these representations have been considered by the undersigned. As per the Chapter 8.45 of First National Judicial Pay Commission(Shetty Commission Report), Volume-II, the following recommendations was made by the Commission:

“If selected candidates are having a higher qualification like Post Graduation in Law, we recommend that three advance increments be given as it is allowed by the Delhi Administration. It is an acknowledged fact that Post Graduation in Law is a difficult course and it is better to reward appropriately such candidates.”

The above recommendation was approved by the Hon'ble Supreme Court vide its judgment dated 21.03.2002 in “All India Judges Association Vs. Union of India and Others” AIR 2002 SC 1752. While allowing the above recommendation alongwith other benefits vide this department's notification dated 29.08.2008, under Item No.17 the words “Judicial Officers” was inadvertently inserted in place of the words “selected candidates”. On realizing this error subsequently a corrigendum was issued on 2.3.2009 whereby the notification dated 29.08.2008 was amended and the words “Judicial Officers” was substituted by the words “selected candidates” for grant of three advance increments strictly in terms of the orders of the Hon'ble Apex Court as referred to above.

Since the notification dated 02.03.2009 seeks to correct an error that crept in while issuing the notification ibid and since the error as above mentioned was not in consonance with the orders of the Hon'ble Supreme Court of India on the subject , no fault can be attributed to the contents of

the subsequent notification dated 02.03.2009. In this connection, attention is also invited to the proviso below Sr. No. 17 of the orders dated 29.08.2008 referred to above of the department.

In view of above, the representations mentioned in para one are found to be without merit and are rejected accordingly. The order of refixation of pay as a consequence of issuance of notification dated 02.03.2009 as issued by the Registry of the Hon'ble High Court of Himachal Pradesh withdrawing the three increments given earlier has been found to be rightly issued and merits implementation accordingly.

Sd/-
Principal Secretary (Home).